

REMARKS

In response to the Office Action mailed November 4, 2005, Applicant submits the following amendments and remarks. Claims 1-22 were previously pending in this application. By this amendment, Applicant is canceling claims 21 and 22 without prejudice or disclaimer and amending claims 1 and 10. No new claims have been added. As a result claims 1-20 are pending for examination with claims 1 being an independent claim. No new matter has been added. The application as presented is believed to be in condition for allowance.

Allowable Subject Matter

Applicant notes with appreciation that claims 4-9, 10-13, 15, 21 and 22 have been indicated to contain allowable subject matter.

Rejection Under 35 U.S.C. § 112

Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner states that the term “multifaceted wall” recited in claim 10 lacks antecedent basis. Applicant has amended claim 10 to overcome this rejection.

Applicant has amended claim 10 to now depend from claim 9 which recites, in relevant part, “wherein the payout tube has a multifaceted wall.” Therefore, claim 9 now provides antecedent basis for the term “multifaceted wall” recited in claim 10. Accordingly, withdrawal of the rejection of claim 10 is respectfully requested.

Rejections Under 35 U.S.C. §102

Claims 1-3, 14 and 18-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 512,581 to Greene (hereinafter “Greene”). Applicant has amended independent claim 1 to overcome this rejection.

Specifically, Applicant has amended claim 1 to incorporate the limitation previously recited in dependent claim 21. Claim 1, as amended, now specifies that the box is “loaded with the coil of filamentary material” as was recited in claim 21. The Examiner indicated in the Office Action that claim 21, which depended from claim 1, would be allowable if rewritten in

independent form. Accordingly, because claim 1 now incorporates all the limitations from an allowable claim, claim 1, as amended is also in condition for allowance. Therefore, withdrawal of the rejection of claim 1 is respectfully requested.

Dependent claims 2, 3, 14 and 18-20 depend from claim 1 and are therefore allowable for at least the same reasons as is claim 1. Accordingly, withdrawal of the rejection of claims 2, 3, 14 and 18-20 is respectfully requested.

Rejections Under 35 U.S.C. §103

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Greene in view of U.S. Patent No. 4,373,687 to Zicko. Applicant respectfully traverses this rejection.

As discussed above, independent claim 1 has been amended to incorporate the subject matter of claim 21 which was deemed allowable. Therefore, claim 1, as amended, is in condition for allowance. Claim 16 depends from claim 1 and is therefore allowable for at least the same reasons as is claim 1. Accordingly, withdrawal of the rejection of claim 16 is respectfully requested.

CONCLUSION

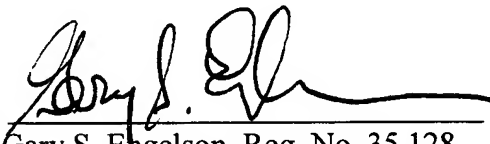
In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee

occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,

Gerard Cote, Applicant

By: 
Gary S. Engelson, Reg. No. 35,128
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
Facsimile: 617-395-7070

Docket No.: N0349-721610

Date: May 4, 2005